

**SENATE . . . . . No. 373.**

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**Commonwealth of Massachusetts.**

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SENATE, May 15, 1908.

The committees on Metropolitan Affairs and Cities, sitting jointly, to whom was referred the petition (with accompanying bill, Senate, No. 341) of the mayor of the city of Chelsea and others for legislation to enable the said city to recover from the effects of the recent fire, report the accompanying bill.

For the committee,

ALFRED S. HALL.

(Messrs. Butler, of the Senate, and Lomasney, Callahan and Sennott, of the House, of the committee on Metropolitan Affairs, and Doyle, Graham and Quigley, of the House, of the committee on Cities, dissenting.)

## Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eight.

### AN ACT

Relative to the City Government of the City of Chelsea.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The governor, with the advice and  
2 consent of the council, shall appoint a commission  
3 of five persons who shall be citizens of the Common-  
4 wealth to be known as the Chelsea board of control.  
5 Of the said commissioners one shall be appointed to  
6 serve until the first Monday in January in the year  
7 nineteen hundred and ten, one until the first Monday  
8 in January in the year nineteen hundred and eleven,  
9 and three until the first Monday in January in the  
10 year nineteen hundred and thirteen. The governor,  
11 with the advice and consent of the council, shall,  
12 from time to time, fix the compensation of the com-  
13 missioners, which shall be paid by the city of  
14 Chelsea, and he may remove any commissioner and  
15 may fill any vacancy in the commission. At the  
16 state election held in said city in the years nineteen  
17 hundred and nine and nineteen hundred and ten,  
18 successors to the commissioners whose terms expire

19 in the January following the election shall be nom-  
20 inated by direct vote and shall be elected under the  
21 same provisions of law, so far as they apply, which  
22 govern the nomination and election of representa-  
23 tives to the general court, and the commissioners so  
24 elected shall serve until the first Monday in January  
25 in the year nineteen hundred and thirteen.

1 SECTION 2. Upon the appointment of the said  
2 commission the mayor, the aldermen, and the mem-  
3 bers of the school committee of the said city shall  
4 cease to hold office, and their powers and duties shall  
5 devolve upon the Chelsea board of control.

1 SECTION 3. As soon as may be the board of con-  
2 trol shall appoint a school committee of five mem-  
3 bers to exercise and perform the powers and duties  
4 of the school committee under the general laws. Of  
5 the said committee one shall be appointed to hold  
6 office until the first Monday in January in the year  
7 nineteen hundred and ten, two to hold office until the  
8 first Monday in January in the year nineteen hun-  
9 dred and eleven, and two to hold office until the first  
10 Monday in January in the year nineteen hundred  
11 and twelve. At the state election in the said city  
12 members to succeed those whose terms expire the  
13 following year and members to fill any vacancy  
14 shall be nominated and elected under the same laws,  
15 so far as they apply, which govern the nomination  
16 and election of members of school committees of  
17 cities. The members so elected shall hold office for  
18 three years.

1 SECTION 4. The said board of control may estab-  
2 lish other departments and appoint the officers

3 thereof and fix their powers and duties and compen-  
4 sation, may purchase supplies, and may employ per-  
5 sons to do work for the city, may remove any person  
6 now or hereafter holding office or position in or  
7 under the city government, may fill vacancies in the  
8 school committee for the unexpired term, and their  
9 acts shall be the acts of the city. All persons now  
10 in office, except the mayor, aldermen, and school  
11 committee, shall continue at the pleasure of the said  
12 board, and all votes provided by law to be cast by  
13 the citizens of Chelsea at the city election shall be  
14 cast at the state election until the year nineteen hun-  
15 dred and eleven, and in that year and thereafter  
16 such votes shall be cast at the city election as now  
17 provided by law.

1 SECTION 5. The board of control shall have power  
2 to establish and change the boundaries of public  
3 parks, squares, and ways, and to discontinue, locate,  
4 relocate, widen and improve the same; and to con-  
5 struct sidewalks and sewers, and to discontinue or  
6 relocate the same. For the aforesaid purposes, and  
7 for the erection and improvement of public build-  
8 ings the said board may purchase or take such land  
9 and rights in land as in their opinion may be neces-  
10 sary. The board of control shall have power to  
11 establish building lines and to make building regu-  
12 lations, and to limit the height to which, and to pre-  
13 scribe the materials of which, buildings hereafter  
14 erected shall be constructed.

1 SECTION 6. In case any substantial change shall  
2 be contemplated by the said board of control in the  
3 building regulations of the said city or in respect

4 to the widening, relocating or improvement of  
5 streets or in the construction of sewers, the board of  
6 control shall give a public hearing in the city of  
7 Chelsea after such notice by publication in news-  
8 papers or otherwise as they may deem proper. In  
9 case any land is taken by the said board by right of  
10 eminent domain, a description thereof sufficient for  
11 identification shall be filed in the registry of deeds  
12 for the county of Suffolk with a statement of the  
13 purpose for which the same was taken; and upon  
14 the filing of the said statement the title to the said  
15 land shall vest in the city of Chelsea.

1 SECTION 7. The board of control, within six  
2 months after the completion of any improvement in  
3 any public square or way, or the laying of any  
4 sewer, may determine and assess betterments there-  
5 for, subject to the provisions of the Revised Laws  
6 and of all acts in amendment thereof.

1 SECTION 8. Any person sustaining an injury to  
2 his property by any act done by the said board may  
3 have the damages therefor determined by a jury or  
4 by a judge of the superior court for the county of  
5 Suffolk, provided that his petition therefor is filed  
6 within one year after the doing of the act com-  
7 plained of.

1 SECTION 9. In the year nineteen hundred and  
2 eleven and annually thereafter a mayor, board of  
3 aldermen and school committee shall be nominated  
4 and elected at the city election in said city as now  
5 provided by law, and the mayor and aldermen so  
6 elected shall exercise and perform the powers and

7 duties now conferred and imposed upon them by  
8 law. Upon the qualification of the mayor and alder-  
9 men so elected the powers and duties of the board  
10 of control shall cease, except that no act done or  
11 vote passed by the mayor or aldermen or by the  
12 mayor and aldermen shall be valid if within five  
13 days thereafter the board of control shall disap-  
14 prove the same in a writing filed with the city  
15 clerk.

1 SECTION 10. In the year nineteen hundred and  
2 twelve at the city election in said city there shall be  
3 placed upon the official ballot the following ques-  
4 tion: " Shall the Chelsea board of control be con-  
5 tinued?" and if a majority of the voters voting  
6 thereon vote in the affirmative, then the governor,  
7 with the advice and consent of the council, shall ap-  
8 point a board of control of five members, to serve  
9 respectively for the terms of one, two, three, four  
10 and five years from the first Monday in January in  
11 the year nineteen hundred and thirteen, and an-  
12 nually thereafter one such member to serve for the  
13 term of five years. The said board shall have the  
14 veto power conferred upon the board of control in  
15 section nine. Any member of the board so ap-  
16 pointed may be removed at any time and any va-  
17 cancy in the board may be filled by the governor  
18 with the advice and consent of the council. The  
19 compensation of the said commissioners shall be  
20 fixed by the governor and council.

1 SECTION 11. This act shall take effect upon its  
2 passage.



